

AMENDED IN SENATE MAY 4, 2005
AMENDED IN SENATE APRIL 14, 2005
AMENDED IN SENATE APRIL 4, 2005

SENATE BILL

No. 1067

Introduced by Senator Kehoe

February 22, 2005

An act to add Article 5.5 (commencing with Section 116490) to Chapter 4 of Part 12 of Division 104 of, the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

SB 1067, as amended, Kehoe. Drinking water.

Existing law, the Calderon-Sher Safe Drinking Water Act of 1996, requires the State Department of Health Services to adopt regulations covering water testing, the monitoring of contaminants, the frequency and method of sampling and testing, the reporting of results, and other matters as may be necessary to determine and assure the quality of domestic water supplies. Existing law requires the Office of Environmental Health Hazard Assessment to perform a risk assessment and, based upon that risk assessment, to adopt a public health goal for contaminants in drinking water based exclusively on public health.

This bill would require the office, ~~on or before~~ by January 1, 2007, to adopt a public health goal for trihalomethanes *and for total haloacetic acids*, and would require the department, on or before January 1, 2007, to adopt regulations to ensure that any public water system that has levels of trihalomethanes *or total haloacetic acids* that pose a potential risk to public health notifies its customers of the public health risks, including any risks to pregnant women, from the

contaminant and would set forth specific notices to be included in the consumer confidence report if public water systems exceed the maximum contamination levels for those contaminants.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Article 5.5 (commencing with Section 116490) is added to Chapter 4 of Part 12 of Division 104 of the Health and Safety Code, to read:

Article 5.5. ~~Trihalomethane~~ *Disinfection By-Product* Risk Reduction and Public Disclosure

116490. The Legislature finds and declares all of the following:

(a) Scientific studies have linked *disinfectant by-products including trihalomethane (TTHM) (TTHMs) and haloacetic acids (HAAs)* to increased risk of cancer.

(b) Several investigations have found that chlorination byproducts may be linked to heart, lung, kidney, liver, and central nervous system damage. Other studies have linked ~~TTHM~~ *TTHMs and HAAs* to reproductive problems, including miscarriage.

~~(c) A California study found a miscarriage rate of 15.7 percent for women who drank five or more glasses of cold water containing more than 75 ppb TTHM, compared to a miscarriage rate of 9.5 percent for women with a low TTHM exposure.~~

116491. (a) ~~On or before~~ By January 1, 2007, the Office of Environmental Health Hazard Assessment shall adopt a public health goal for ~~trihalomethanes~~ *TTHMs and HAAs* using the criteria established pursuant to Section 116365. *This public health goal shall specify a peak level rather than average levels for TTHMs and HAAs that will ensure maximum protection of pregnant women from miscarriage or other potential reproductive effects.*

(b) ~~On or before~~ By January 1, 2007, the department shall adopt regulations to ensure that any public water system that has levels of ~~trihalomethanes~~ *TTHMs and HAAs* that pose a potential

1 risk to public health notifies its customers of the public health
2 risks, including any risks to pregnant women, from the
3 contaminant. The notification required under this section ~~may~~
4 *shall* be included in the annual consumer confidence report
5 issued by the public water system.

6 *(c) A public water system that has one or more detections of*
7 *TTHMs at a peak, rather than average, level above the maximum*
8 *contaminant level shall include the following notice in its next*
9 *Consumer Confidence Report:*

10 *“Some people who drink water containing Trihalomethanes*
11 *(TTHMs) at levels in excess of the maximum contaminant level*
12 *over many years, may experience problems with their liver,*
13 *kidneys, or central nervous system, and may have increased risk*
14 *of cancer. Pregnant women should know that some studies have*
15 *found a possible link between miscarriage, certain birth defects,*
16 *low-birth weight or still births, and drinking water with high*
17 *levels of these chemicals.”*

18 *(d) A public water system that has one or more detections of*
19 *HAAs at a peak, rather than average, level above the maximum*
20 *contaminant level shall include the following notice in its next*
21 *Consumer Confidence Report:*

22 *“Some people who drink water containing haloacetic acids*
23 *(HAAs) at levels in excess of the maximum containment level*
24 *over many years, may experience problems with their liver or*
25 *kidneys, and may have an increased risk of cancer. Pregnant*
26 *women should know that some studies have found a possible link*
27 *between miscarriages, certain birth defects, low-birth weight or*
28 *still births, and reproductive and fetal developmental problems,*
29 *and drinking water with high levels of those chemicals.”*